

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
WESTERN DIVISION

TECHNOLOGY FUNDING GROUP,  
L.L.C., a Delaware Limited Liability Co.

Plaintiff,

vs.

THE FIRST WESTERN BANK  
OF STURGIS,  
South Dakota Corporation,

Defendants.

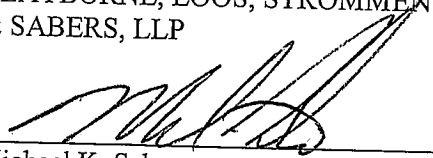
CIV. 07-5081-KES

**STIPULATION**

The parties, through their respective counsel, in good faith, hereby stipulate and jointly agree that Plaintiff shall have until January 9, 2008 in which to file a response to Defendant's Motion for Partial Summary Judgment re: Collateral Estoppel and Res Judicata. This request was discussed between Plaintiff's counsel and Defendant's counsel on December 16, 2008, and based upon Plaintiff's counsel current schedule, and unforeseen other obligations which have arisen, Defendant's counsel indicated that he did not have an objection to some additional time to respond over the holiday season. The parties respectfully request that this Court in its discretion allow the Plaintiff such additional time as stipulated to by the parties.

Dated this 17<sup>th</sup> day of December, 2008.

CLAYBORNE, LOOS, STROMMEN  
& SABERS, LLP

  
Michael K. Sabers  
Attorney for Plaintiff  
P.O. Box 9129  
Rapid City, SD 57709-9129

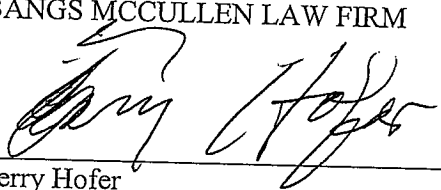
Dated this \_\_\_ day of December, 2008

ATTEST:  
Clerk of Courts

By: \_\_\_\_\_  
Deputy Clerk

Dated this 17<sup>th</sup> day of December, 2008.

BANGS MCCULLEN LAW FIRM

  
Terry Hofer  
Attorney for Defendants  
P.O. Box 2670  
Rapid City, SD 57709-2670

BY THE COURT:

\_\_\_\_\_  
Honorable Karen E. Schreier  
Chief Judge